



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Parker et al.

Serial No. 09/762,562

International App. No. PCT/US98/16521

Filed: February 9, 2001

Title: ELECTRIC ARC MONITORING SYSTEM

Assistant Commissioner for Patents
Washington, D. C. 20231

PETITION UNDER 37 C.F.R. §1.47
(Filing When an Inventor Refuses
to Sign or Cannot be Reached)

(1) This Petition is submitted due to the inability to obtain the signature of one of the joint inventors names on the above identified patent application on the application's declaration. The missing signature is that of inventor Howard M. Ham.

(2) The application was filed on February 9, 2001 without a signed declaration from the joint inventors. The application was filed under 35 U.S.C. 371 based on international application no. PCT/US98/16521. In response, a Notification of Missing Requirements Under 35 U.S.C. 371 was dated 29 March 2001 was sent to me as the patent attorney duly appointed to prosecute the application.

(3) The signatures of joint inventors Michael T. Parker, James J. Keenan and Luc P. Benoit have been obtained on the declaration documents which are submitted herewith along with a copy of the Notification of Missing Requirements, fees required under 37 CFR 1.136(a), and a Petition for a three month extension of time.

(4) Attempts have been made to obtain the signature of Howard M. Ham, Jr., to no avail. Howard M. Ham, Jr. is deceased. His legal representative is believed to be Lillian Margaret Ham who formally resided at 1311 East Decatur, Fresno, California 93720. Copies of the formal papers were sent to Mrs. Ham at her last known address on July 13, 2001. The papers were returned by the U.S. Postal Service as undeliverable with no forwarding address. A copy of the returned envelope is submitted herewith. The undersigned attorney has made inquiries but has been unable to learn of the forwarding address of Ms. Ham.

(5) Copies of the letters and formal papers sent to Ms. Ham are enclosed as proof of the pertinent facts and to establish that Mr. Ham's signature has been sought with due diligence.

(6) Please find enclosed a check for the Petition fee of \$130.00 as required by 37 CFR § 1.17(i). If any additional fees are required in connection with this Petition, I authorize the Commissioner to charge them to Deposit Account No. 11-1580.

August 29, 2001

Respectfully submitted,



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